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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q88424

Akira TSUJI, et al.

Appln. No.: 10/541,019

Group Art Unit: 1615

Confirmation No.: 4031

Examiner: not yet assigned

Filed: June 28, 2005

For: AGENT IMPROVING PROTON-DRIVEN TRANSPORTER-MEDIATED  
ABSORPTION IN DIGESTIVE TRACT AND PROCESS FOR PRODUCING THE  
SAME

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.P./

INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: 10/541,019

filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations: An English translation of an Office Action received in the corresponding Chinese application is enclosed. Chinese published application CN 1226834 was cited in such Office Action. U.S. Patent 6,555,124 and PCT published application WO 98/05369 correspond to CN 1226834, and are listed on the SB/08.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

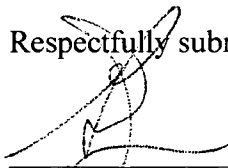
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**23373**

CUSTOMER NUMBER

Respectfully submitted,



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Date: March 9, 2007

Substitute for Form 1449 A &amp; B/PTO

Complete if Known

Application Number	10/541,019
Confirmation Number	4031
Filing Date	June 28, 2005
First Named Inventor	Akira TSUJI
Art Unit	1615
Examiner Name	Unknown
Attorney Docket Number	Q88424

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 6,555,124	B1	04-09-2003	Kolter et. al

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		CN	CN 1226834A		08-25-1999	Akira Tsuji/Otsuka Pharmaceutical Co., Ltd.	Y
		DE	WO 9805360	A2	12-02-1998	BASF	N

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>

Examiner Signature

/Jeffrey Palenik/

Date Considered

03/03/2008

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 1.6 if possible. <sup>6</sup>Applicant is to indicate here if English language. Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.P./